

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. BANK NATIONAL ASSOCIATION, as Trustee
for GSAMP TRUST 2007-HE2,

Plaintiff,

-against-

GOLDMAN SACHS MORTGAGE COMPANY and
GS MORTGAGE SECURITIES CORP.,

Defendants.

Index No. 1:19-cv-02307
[rel. 1:19-cv-02305]

FED. R. CIV. P. 26(d)(1) STIPULATION
PERMITTING IMMEDIATE LOAN DOCUMENT DISCOVERY

WHEREAS U.S. Bank National Association (the “Trustee”), as Trustee for Goldman Sachs Alternative Mortgage Products Trust 2007-HE2 (“GSAMP 2007-HE2”), has filed and served a complaint in this action (Dkt. No. 29); and

WHEREAS the parties have agreed that Defendants will respond to the complaint by July 13, 2020 (Dkt. Nos. 34 & 35); and

WHEREAS the parties desire to commence discovery, but wish to limit that discovery during the initial pleading stages;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among all parties, by their undersigned counsel, as follows:

1. For purposes of this stipulation, the “Limited Discovery Period” shall last from the date hereof until:
 - a. the date that the Court resolves Defendants’ contemplated motion to dismiss the action in its entirety; or

- b. if the only basis in such motion for dismissing this action in its entirety is the “depositor consent” language in Section 2.07 of the GSAMP Trust 2007-HE2 Pooling and Servicing Agreement, the date that the Court resolves the motion to dismiss in *U.S. Bank National Association, as Trustee for GSAMP Trust 2007-HE1 v. Goldman Sachs Mortgage Company, L.P. and GS Mortgage Securities Corp.*, No: 19-cv-02305.

2. The parties may immediately commence discovery, but, during the Limited Discovery Period, shall limit such discovery to i) an exchange of Rule 26 initial disclosures; ii) the identification of any non-parties (including due diligence providers) that may have possession, custody or control of loan tapes, loan files, servicing files and underwriting guidelines (together, “Loan Documents”); and iii) the collection (including from non-parties) of Loan Documents, while deferring all other discovery until after the Limited Discovery Period.

3. All discovery other than that described in paragraph 2 hereof shall be deferred until after the Limited Discovery Period.

4. The Parties agree that, during the Limited Discovery Period, the parties will only be required to search for and collect Loan Documents from centralized files, systems, and repositories, and will not be required to search, collect or review other electronically-stored information (*e.g.*, email communications) as part of that search. A party’s collection and, to the extent responsive, production of Loan Documents from centralized files, systems, and repositories shall fully satisfy its obligation under clause (iii) of paragraph 2. For the avoidance of doubt, no party is required to produce any documents or information relating to Loan Documents until after the Limited Discovery Period other than as set forth in this Stipulation.

Dated: June 23, 2020
New York, New York

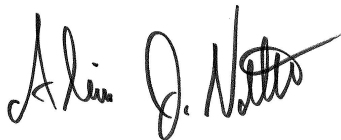
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*Attorneys for Plaintiff U.S. Bank National
Association, as Trustee for GSAMP 2007-HE2
Trust*

SO ORDERED:



The Honorable Alison J. Nathan
United States District Judge

June 24, 2020

**ORRICK, HERRINGTON & SUTCLIFFE
LLP**

By: /s/ Richard A. Jacobsen, Jr.
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